

A Regular meeting of the Board of Selectmen was held on June 26, 2007 beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. The following members were present. Mr. Sullivan was absent.

Al DeNapoli, Chairman
Chris Timson, Vice Chairman
Michael F. Caron, Clerk
Catherine Winston

Also present:

Michael Boynton, Town Administrator
James Johnson, Asst. Town Administrator

7:30 p.m. East Walpole Package Store, Transfer of License

MOTION moved by Mr. Timson to open the public hearing, seconded by Ms. Winston voted 3-0-0

Elaine DeMeo, Attorney on behalf of the Mr. & Mrs. Kim appeared before the Board regarding the transfer of an all alcoholic package store license. Mrs. Kim is the proposed manager. They are currently owners of N. Attleboro Liquor World. They were the owners of Mimi's variety in Walpole and are familiar with running a store. They are certified by TIPS program and wish to continue as responsible members of the community. We are asking that the transfer be permitted. They are currently attending recertification.

Mr. DeNapoli wants to be sure that they are certified as well. They are going to have to have employees who will be trained. The employees joining their workforce should also TIP certified.

Mr. Caron arrived at 7:36 p.m.

Mr. Kim stated that he will have four employees including himself and his wife. One of them used to be a bartender years ago. They took the recertification class last week. Mrs. Kim will be a manager at both locations. Mr. DeNapoli explained that the Board of Selectmen usually likes to see the manager to be at that store.

Attorney DeMeo explained that Mrs. Kim will be dividing her time at both stores. They do not anticipate any problems. They are very hard working people. They have never been sited for any problems. They have had the N. Attleboro store since 2004 with no problems.

Mr. DeNapoli reminded them that we want to be sure that we check the ID and not serve to minors.

There was no one in the audience who wished to comment on this transfer request.

MOTION moved by Mr. Timson to close the public hearing, seconded by Ms. Winston, VOTED 4-0-0

MOTION moved by Mr. Timson to approve the All Alcoholic Package Store License transfer and pledge as requested by the applicant to H. Kim Inc. d/b/a East Walpole Package Store, 79 Boston-Providence Highway, seconded by Mr. Caron VOTED 4-0-0

MOTION moved by Mr. Timson to appoint Carolyn M. Kim as manager of record for the East Walpole Package Store, seconded by Mr. Caron, VOTED 4-0-0

6-13 Island Ice, Mark Resnick

Mark Resnick, his son Campbell and daughter Erin appeared before the Board seeking permission to sell Italian Ice at town events and various locations throughout town. Last week it was suggested that we look into liability insurance and Mr. Resnick has provided that for the Town. He gave Mr. Boynton a copy.

Mr. Boynton reminded the Board that at the last meeting a few things came up. One was the insurance and we are satisfied with the coverage. What do we do with respect to him operating on Town property? He has a hawker's license from the State. Anyone holding the license is to look into regulations or rules within the town. We do not have any at this time. There are some rules we can adopt. So after giving this thought, there is no fee at this time and, any rules and regulations. What we really need to do is to develop our own rules and regulations.

He suggested the Board grant permission for him to operate through September and that by fall have some new regulations. The next point would be working with Counsel to develop these regulations. Mr. Resnick has secured permission from the Board of Health and he has spoken to the Fire Dept and was told not to be out back selling during the night before the fourth. We do need to do something for next year.

Ms. Winston questioned, if as far as the agreement on the fourth, that does not preclude the E. Walpole area? Mr. Boynton replied, behind the fire station area in downtown.

Mr. Timson thinks it raises bigger issues. He does not want this applicant to not be able to operate. We have not had this type of request come before us. We need to put in place rules including, anyone we would permit to go on town property. We should do a CORI check for anyone who would be selling to children. Anyone who comes on to town property should sign an indemnification. We are granting permission, this is not going to cost us anything. He would like to see this revocable at will by the town. If something were to occur, we would not want to be stuck. I applaud him for his ingenuity. We have to keep these things in mind.

Mr. DeNapoli felt the indemnification might be more complicated. Mr. Boynton explained the Town does have a form and it should not be a problem. Mr. Resnick explained that you have to have a background check by the Police Chief to get the Hawkers license.

MOTION moved by Mr. Timson that we grant conditional permission to the applicant, revocable at will by the Town of Walpole to operate his Italian Ice cart on Town property through September 30, 2007 and that he checks with the town before each function to make sure he is not competing with town vendors and executes the indemnification agreement, seconded by Mr. Caron.

Ms. Winston is not sure that he needs to check with the town prior to each event.

Mr. Timson feels we should leave that in there, the burden should be on the applicant to be sure that he is not going against some town vendors, leave the motion that way, it is only a problem if he is competing with someone from the town.

Ms. Winston was comfortable with it as long as Mr. Resnick can call Josh Cole. Some people you can not reach. Josh does the registration for soccer etc.

VOTED 4-0-0

125 Health Plans, Mark Good

Mr. Good explained that the new state form (HERD) is now available. There was discussion about who do we notify. What we are going to do is send the HERD form to every employee. I would anticipate that school staff will take some time. The plan description and enrollment, which will go to every employee who does not have health insurance. The 125 plan is done and it is ready for the Board's signature. The Massachusetts Health law says that anyone 18 plus must have health insurance. Those individuals can purchase through the state, on a pretax basis. Last week you voted to

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adopt certain provisions, we incorporated them into the plan and briefly what we adopted. We do not pay anything.

You need to approve the adoption agreement and designate the chairman as the signatory authority

MOTION moved by Mr. Caron to approve the adoption agreement and designate the chair as signatory, seconded by Ms. Winston, VOTED 4-0-0

Town Administrator's Update

New Trash Collection Vendor Reminder: Reminder to Board and residents, our new trash collection vendor will change. It will be Russell disposal. The trucks are rear loaders. There will be some bugs for the first few months. They have been paying attention to the routes. Please have your trash out by 7 a.m.

FY2007 year end close out: We are closing out the FY07 on Friday. The books must be closed by July 15. Under Reserve fund transfer request, the Board of Selectmen is usually in the first position. I request that the Board authorize the chairman to do the same. Approve any Reserve fund transfers up to \$5,000.

MOTION moved by Mr. Timson that we grant authority to our chairman to approve Reserve fund transfers up to \$5,000 by his single and sole act, seconded by Ms. Winston VOTED 4-0-0

July 3, 2007: Once the fireworks arrive at the pool area this building will be closed. I anticipate them arriving at 1:00. The parade will start at 6 p.m. in E. Walpole. The roads are dug down in East Walpole but we should have pavement base down by Monday.

OLD business

Mr. Timson informed the Board that in the Globe today, the GIC bill passed the House today.

Mr. Boynton suggested we take a full double take on the GIC because of the unions. We will spend time looking at it.

MOTION moved by Mr. Timson to adjourn at 8:12p.m. , seconded by Ms. Winston, VOTED 4-0-0

Respectfully submitted,

Michael F. Caron, Clerk